

TEXAS ENVIRONMENTAL QUALITY

LAURANCE KRIEDEL
PLAINTIFF

V.

CITY OF BOVINA
BOVINA, TEXAS
DEFENDANT

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2011 JUL 22 AM 10:13
WQ0014730001
CHIEF CLERKS OFFICE
Docket No. 2011-0878-MWD

**RESPONSE TO EXECUTIVE DIRECTOR'S RESPONSE TO HEARING
REQUEST**

**TO THE HONORABLE MEMBERS OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY;**

COMES NOW, Laurance Kriegel with his response to The Executive Directors
Response to request a hearing.

The City of Bovina, Texas applied for this Sewer Permit after the Sewer facility
was built. This is a error of Law.

Laurance Kriegel notified the Texas State Office of Insurance and the City of
Bovina, Texas that the City of Bovina, Texas did not have free clear title to the property
before construction of the Sewer began. [If construction had begun the notice was near
the time of the beginning construction]. The City of Bovina has violated the Law on by
construction a facility with out free clear title. The Texas State Office of Insurance, Title
Division, violated the law when they did not resolve that complaint within 30 days after
my complaint was sent in. Jan. 1, 2009 or earlier.

**These responses's are with respect to the response in the Executive Directors
response.**

With respect to item V, B. The value of the Property and surrounding should be
considered. The property with Sewage on the property is worthless. The property nearby
is worthless. The property belongs to Laurance Kriegel, check the General Land Office
of Texas for the Ownership map.

C.1. It is the responsibility of The Republic of Texas to insure the health and
safety of each citizen. The Commission is obligated to answer each question on behalf of
a citizen in detail and not side step a question or claim to place the burden of proof on a

citizen. TCEQ should have all of the necessary information in the file to answer each question accurately.

C. 2. It is the responsibility of the TCEQ to physically locate and verify all distance requirements. Highway 86 is closer than 500 ft. from the sewer.

C. 3. The Republic of Texas Laws require all land owners in Texas to hold a fee simple Title to their property. The Executor Director has violated the Constitution and Statutes and their responsibility as a employee of Texas with a concluding statement in this section.

"Therefore, this information is not relevant and material to a decision on the application."

The application should be sent to the SOAH if it is approved.

C. 4. The Republic of Texas is obligated to uphold the property rights and the property value of all citizens. It is the responsibility of The Texas Commission on Environmental Quality to protect the value of Laurance Kriegel's property and health and safety.

C. 5. The Hearing Commission has the responsibility to uphold the Law for all Citizens, and issues of Law not answered correctly by this Commission should be transferred to the SOAH to uphold the Constitution and all rights of a Citizen with the correct law being applied and answered. The failure to do so, will overturn The Republic of Texas Constitution and Statutes.

This comment is written to mislead the Executive Director. This TWC section 5.051 does not state anything about TCEQ being a part of The Texas Commission on Environmental Quality. Therefore TCEQ should cease and desist.

C. 6. The City of Bovina, Texas uses a manual or book called international law or international code. This is a violation of the Constitution and the Laws of Texas. This question is very clear. Does TCEQ have this manual in there office? Check the first several pages of all the rules books or manuals in the TCEQ office. If such a book is in the TCEQ office the book should be destroyed. But first file charges of treason against every person that consults such a book. The people in The Republic of Texas are to uphold the Constitution of the Republic of Texas and the Laws passed by the Texas Congress.

C. 7. The TCEQ should run a test on the environment in my vehicles and all vehicles which pass by the sewer on the highway, which is closer to the Sewer that the Law allows, to check for pathogens from the sewer. Fact issues are relevant. Laurance Kriegel has suggested in previous letters the City of Bovina, Texas is mixing fresh water at a high rate with the sewer water to dilute the odor and the pathogens.

The Office of Executive Director can answer my questions in my complaints better for the public interest of the Citizens of Bovina, Texas and Laurance Kriegel a citizen.

This response did not address a question about the Sewer being built over a abandoned irrigation well under one of the reservoirs allowing the sewer water to seep into the water table. The Response document for the Executor Director is a misleading document on more than one fact issue.

The City of Bovina, Texas has not responded to Laurance Kriegel's complaint therefore the Commission is required by Law to rule in favor of Laurance Kriegel.

CONCLUSION

TCEQ correctly states that the City of Bovina, Texas cannot violate a property right of the individual owning the Land the Bovina City Sewer is built on. The City of Bovina has build on the property of Laurance Kriegel, Therefore the permit should be denied and the land restored to the Original Condition.

The City of Bovina, Bovina, Texas does not have fee simple free clear Title to this property the City Sewer is built on. The Law in Texas states land can be sold only fee simple.

REQUESTED RELIEF

The correct response to this Sewer Permit is for the Sewer application to be denied.

The correct response to this Sewer Permit Application is for the City of Bovina, Bovina, Texas to restore the Land to the Original Condition and to return the land to the fee simple Land Owner.

Please answer all of my questions with accuracy and completely in my complaint.

Respectfully Submitted;

Laurance Kriegel
Laurance Kriegel

7-20-2011

**MAILING LIST
CITY OF BOVINA
TCEQ DOCKET NO. 2011-0878-MWD**

FOR THE APPLICANT:

Jana Pitcock, City Manager
City of Bovina
PO Box 720
Bovina, Texas 79009-0720
Tel: 806/251/1116 Fax: 806/251-1805

Lucas Johnson
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FOR THE EXECUTIVE DIRECTOR

via electronic mail:
Robert Brush, Staff Attorney
Texas Commission on Environmental
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Environmental Law Division, MC-173
P.O. Box 13087
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FOR OFFICE OF PUBLIC ASSISTANCE

via electronic mail:
Bridget Bohac, Director
Texas Commission on Environmental
Quality
Office of Public Assistance, MC-108
P.O. Box 13087
Austin, Texas 78711-3087
Tel: 512/239-4000 Fax: 512/239-4007

**FOR ALTERNATIVE DISPUTE
RESOLUTION**

via electronic mail:
Kyle Lucas
Texas Commission on Environmental
Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711-3087
Tel: 512/239-4010 Fax: 512/239-4015

FOR THE CHIEF CLERK:

Melissa Chao, Acting Chief Clerk
Texas Commission on Environmental
Quality
Office of Chief Clerk, MC-105
P.O. Box 13087 Austin, Texas 78711-
3087
Tel: 512/239-3300 Fax: 512/239-3311

REQUESTER:

Laurance Kriegel
1202 Highway 86
Bovina, Texas 79009-4517



Texas Department of Insurance

Property & Casualty Program - Title Division, Mail Code 106-2T
333 Guadalupe • P. O. Box 149104, Austin, Texas 78714-9104
512-322-3482 telephone • 512-305-7426 fax • www.tdi.state.tx.us

COMPLAINT FORM FOR TITLE (FORMA PARA UNA QUEJA FORMAL SOBRE SEGUROS DE TITULO)

Please return to above address.

Por favor regrese la forma completa a la dirección escrita arriba.

Today's Date: 4-2-2010
Fecha

PLEASE PRINT CLEARLY (Favor de Escribir Con Letra de Molde)

Insured or Claimant's Name: Walter Arthur Kriegel Estate

Nombre del Asegurado o quien reclama

Address: 1202 Hwy 86
Domicilio

Phone (Home): 806-225-7285
Teléfono (Casa)

City/State: Bovina, Texas
Ciudad/Estado

Zip Code: 79009
Código Postal

Phone (Work): ()
Teléfono (Trabajo)

COMPLAINT IS AGAINST (La Queja es contra):

Company/Agent's Name: CITY OF BOVINA Insurance Co. Phone No.: (806) 251-1176
Nombre del Agente o Compañía Teléfono

Company's/Agent's Address (if known): P.O. Box 720
Dirección del Agente o Compañía (Si se conoce)

City: BOVINA
Ciudad

State: TX
Estado

Zip code: 79009
Código Postal

☐ Insurance Company
Compañía de Seguros

☐ Agent
Un Agente

☐ Other (Specify): _____
Otro (Por favor especifique)

File Number: _____
Número de Archivo

Closing Date: _____
Fecha para concluir su transacción

POLICY INFORMATION (Información Sobre la Póliza)

Policyholder's Name (if different from yours) Walter Arthur Kriegel Estate
Nombre del Asegurado (si es diferente al suyo)

Address (if different from yours): 1202 Hwy 86
Dirección (si es diferente al suyo)

Favwell, Tx.
79326

City: Bovina
Ciudad

State: Texas
Estado

Zip code: 79009
Código Postal

Date complaint occurred or began Fecha cuando la queja ocurrió o empezó: 1-1-2009

MY COMPLAINT IS (Please describe and attach any documents that you believe are necessary in helping us to solve your complaint.): *Mi Queja Es (Favor de explicar e incluir copias de cualquier documento que será necesario para ayudarnos a resolver su queja.)*

The City of Bovina, Bovina, Texas and / or City Works in Bovina, Texas have Trespassed to Try the Title to the Walter Arthur Kriegel Estate Capitol League 520, T7S R2E section 15. The Department of Insurance of Texas was previous notified. The City of Bovina has built a sewer on this property without the permission of the fee simple clear title Land Owner. The Deed of Record does not tract to the Abstract of the Walter Arthur Kriegel Estate. The dirt from the sewer hole is being illegally spread on City of Bovina streets.

Does the City of Bovina have a TCEQ permit for the sewer plant? The sewer is built a few feet south of Hwy 86 and the odor from the sewer enters my vehicle's every time I drive past the sewer, at least four times a day. The pathogens will remain in the car for a long period of time and may continue to grow in the vents or on the interior.

What do you consider to be a fair resolution to your problem? *¿Qué considera usted una justa solución a su problema?*

Laurance Kriegel is requesting the property be returned to the original condition and The Estate of Walter Arthur Kriegel have possession of the property. The Estate will accept the Electric Irrigation Center Pivot recently erected on the property as part of the damages provided sewage is never pumped into the sprinkler.

The Walter Arthur Kriegel Estate is requesting \$50 million in irreparable damages.

(If more space is needed, please attach a separate page.) *(Si necesita mas espacio, favor de usar una hoja adicional.)*

Laurance Kriegel Heir To The Estate
INSURED OR CLAIMANT'S SIGNATURE

FIRMA DEL ASEGURADO O DE QUIEN PONE LA QUEJA

4-2-2010

DATE
Fecha

NOTICE ABOUT CONFIDENTIALITY

The Texas Department of Insurance (TDI) uses information disclosed in this form to help resolve your complaint. Resolution may require TDI to share this information with the person or company named in your complaint. Although by law much of the information you submit may be considered public record, portions may be confidential. For example, you may include private information protected by the doctrine of common law privacy, medical records protected by the Medical Practice Act, or individual e-mail addresses protected by the Texas Public Information Act. Sharing this information for purposes of processing your complaint does not waive these confidentiality protections. If you would like more information about the public or confidential nature of information maintained by TDI, please consult our Open Record Policy and our Web Site Privacy Policy on the TDI Web page at www.tdi.state.tx.us.

NOTICE ABOUT CERTAIN INFORMATION LAWS AND PRACTICES

With few exceptions, you are entitled to be informed about the information that the Texas Department of Insurance (TDI) collects about you. Under sections 552.022 and 552.023 of the Texas Government Code, you have a right to review or receive copies of information about yourself, including private information. However, TDI may withhold information for reasons other than to protect your right to privacy. Under section 559.004 of the Texas Government Code, you are entitled to request that TDI correct information that TDI has about you that is incorrect. For more information about the procedure and costs for obtaining information from TDI or about the procedure for correcting information kept by TDI, please contact the Agency Counsel Section of TDI's Legal & Compliance Division at (512) 475-1757.